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August 11, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Michael D. Antonovich, Chair Pro Tem
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From: 
David Sanders, Ph.D.
Director

**JULY 12, 2005 BOARD AGENDA ITEM #7 re: THE IMPLEMENTATION PLAN TO
REPLICATE THE OFFICE OF INDEPENDENT REVIEW**

On July 12, 2005, the Board instructed the Department of Children and Family Services (DCFS), in conjunction with the Auditor-Controller (A-C) and in consultation with the Office of Independent Review (OIR), to report back to the Board within thirty (30) days with an implementation plan replicating the OIR model, successfully utilized by the Sheriff's Department for review of the Department's internal investigation process, in order to:

- (1) Ensure the integrity of DCFS' internal investigations and translate investigative review findings into organizational policy and practice changes; and
- (2) Assist the DCFS Director and staff in implementing changes that will strengthen DCFS' internal processes.

INTRODUCTION

DCFS performs critical functions involving families and children of the County of Los Angeles. Critical incidents brought to the attention of DCFS are often a reflection of countywide and/or departmental systemic problems that require assessment and correction. Specifically, some of these areas of difficulty include case management, policy and practice issues; performance concerns; management oversight; and the effectiveness and objectivity of DCFS internal investigations regarding employee accountability.

In September 2004, DCFS began exploring the possibility of establishing a working relationship with OIR. Since then, several meetings transpired between DCFS and OIR resulting in significant DCFS interest to replicate the OIR model successfully utilized by the Los Angeles County Sheriff's Department (LASD).

On July 29, 2005, DCFS met with the Commission for Children and Families (CCF), Inter-Agency Council on Child Abuse and Neglect (ICAN), the Auditor-Controller's office and Michael Gennaco, Chief Attorney from OIR, to discuss the functions of the OIR model. During the meeting, an OIR-DCFS model of internal investigations was discussed in general terms. The meeting was successful in allowing the participants to hear, firsthand from Mr. Gennaco, some basic and fundamental aspects concerning the operations of OIR. There was no significant opposition by the stakeholders to implementing the model; and the possibility of regrouping in the future for informational purposes was addressed.

THE GOALS AND BENEFITS OF OIR-DCFS

The scope of OIR-DCFS services would include the provision of periodic status reports to the Los Angeles County Board of Supervisors on all investigations and significant matters, within the purview of the OIR-DCFS, that would assist the Board in implementing critical countywide and departmental systemic changes toward improvement in child welfare service delivery. Furthermore, the assistance of an independent resource that will study DCFS' policies, procedures and best practices will strengthen the department's internal processes. Finally, as special counsel for DCFS executives and investigators, an OIR-DCFS will be able to provide independent civilian oversight of DCFS' internal investigations, similar to those contracted operations that OIR currently maintains for LASD, thus alleviating concerns regarding DCFS employee misconduct.

NEXT STEPS

DCFS is currently developing the implementation plan for the OIR-DCFS model of internal investigations. This includes:

- (1) Developing the financing and fiscal impact;
- (2) Working with County Counsel to address any related confidentiality issues that may result from oversight responsibilities performed by OIR; and
- (3) Negotiating with the Office of County Counsel and the Chief Administrative Office regarding the contracting process.

It is noteworthy to mention that, in order for DCFS to utilize the special legal services provided by OIR, it would be necessary to expand the staffing capacity and resources of the current OIR to ensure the overall effectiveness of performing the aforementioned oversight responsibilities.

CONCLUSION

Implementation of the OIR-DCFS will enhance the County's ability to provide fair and impartial review of internal DCFS investigations by significantly enhancing the County's credibility; and will provide confidence to the citizens of Los Angeles County that allegations of misconduct by employees of DCFS are handled professionally and objectively. Therefore, within 60 days, consistent with the Strategic Plan Goal of Organizational Effectiveness: To ensure that services delivery systems are efficient, effective and goal-oriented, DCFS will report to the Board regarding a proposed contract with OIR to assume oversight responsibilities for and coordination of the independent review process of DCFS' internal investigations in the 2005-06 Fiscal Year.

If you have any questions or need additional information, please call me at (213) 351-5600; or your staff may contact Helen Berberian, Board Relations Manager, at (213) 351-5530.

JS:DMW:dmw

- c: Chief Administrative Officer
- County Counsel
- Board of Supervisors Executive Officer
- Auditor-Controller
- Office of Independent Review